

*Seibel, J.*UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X

Robert A. Delitta, Individually and on  
behalf of others similarly situated,Plaintiffs by,  
Permissive Joiner,

-against-

City of Mt. Vernon New York,  
A Municipal Corporation,

Defendant.

**STIPULATION OF  
WITHDRAWAL  
WITHOUT PREJUDICE**  
*(CS)*  
 07 CV 09441 (GLB)(MDF)

X

IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the Defendant and counsel for Charles Weinstein, an opt-in Plaintiff in the above-captioned action that the above-captioned action, in its entirety, be and hereby is withdrawn without prejudice as to all of Charles Weinstein's claims.

Dated: New York, New York  
 July 24, 2008

BOND, SCHOENECK &amp; KING, PLLC

JOSEPH P. CAREY, P.C.

*J.S.*  
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So-Ordered:

*Cathy Seibel*  
 The Honorable Charles L. R�iant CATHY SEIBEL  
 U.S.D.J.

✓ Dated: 8/20/08